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# Tennessee Supreme Court

## ALTERNATIVE DISPUTE RESOLUTION COMMISSION

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## Rule 31 Continuing Mediation Education Accreditation Request Form

**Provider Name:** Tennessee Valley Mediation Association

**Address:** 1504 Kenton Court, Antioch, TN 37013

**Telephone/Fax:** (615) 428 – 9225

**E-Mail Address:** [RBrown2456@aol.com](mailto:RBrown2456@aol.com)

**Course Title:** “Thinking About Our Practice and Practicing Our Thinking (About Our Practice)”

**Date(s) Held:** October 22, 2016

**Location(s):** University of TN College of Law, 1505 Cumberland Avenue, Knoxville, TN 37996 (865) 523 – 4176

**Fee for Members/Non-Members:** \$150 (Members); \$250 (Non-Members)

**Does this course have CLE Commission Approval?** Pending

Session Description	Type of Credit Requested (General Continuing Education, General Mediation Issues, Mediation Ethics, or Family Law)	Start Time	End Time	Credit Approval (Office Use Only)
The Tennessee Valley Mediation Association will present an all-day (6 hours) conference on October 22, 2016, at the University of TN College of Law. The conference will begin with a 45 minute session from 9:15 a.m. to 9:45 a.m. entitled “Key Practices and Theories,” conducted by Susanne Terry. The session will address the key principles and theories that guide the strategic choices in their practice. The second session, from 9:45 a.m. to 10:00 a.m. outlines what we mean by reflective practice, what is necessary to engage in reflective practice, and what are some of the discipline practices related to reflective practice. The third session, from 10:00 a.m. to 10:30 a.m., will be a demonstration of how reflective debrief works and what the debriefer	<b>General Continuing Education, General Mediation Issues, Mediation Ethics</b>	9:00 a.m.	4:00 p.m.	

<p>does and does not do to assist the mediator to engage in a deeper level examination of choices that they have made and why. The next session 10:45 a.m. to 11:15 a.m. compares the role of the Reflective Debriefing and that of the Mediator". The morning session will conclude with a presentation on highlighting the polarized discussion that takes place regarding private sessions – whether to do them or not.</p> <p>The afternoon session begins at 12:30 p.m. and will review the complex matrix that might inform our choices regarding private sessions. From 1:15 p.m. to 2:15 p.m. a series of written case studies covering a number of scenarios will be examined by participants to assess the pros and cons of private sessions. The final session, 2:30 p.m. to 3:30 p.m. will focus on ethical challenges that might influence how the mediators handle those sessions. Final wrap-up discussion will conclude at 4:00 p.m.</p> <p>This will be a Mediation Practice Workshop led by Susanne Terry is a mediator, facilitator, and consultant in private practice in Vermont. Susan created and was director of the first undergraduate skills based mediation program in the U.S. She continues to teach at Woodbury Institute of Champlain College, the graduate program that evolved from the original program that she developed. In addition to her mediation and organizational consulting work, Susan is a consultant and coach to private mediators and consultants as well as to mediation service provider programs. For most of her practice and teaching career, Susan has been focused on the discipline of Reflective Practice. Her passion is with assisting practitioners to understand better how and why they have made the choices they did and how those choices they made are or are not consistent with their beliefs about mediation and conflict.</p>				
Registration	<b>Break</b>	<b>8:00 a.m.</b>	<b>8:45 a.m.</b>	
Introduction and Overview	<b>General Continuing Education, General Mediation Issues</b>	<b>9:00 a.m.</b>	<b>9:15 a.m.</b>	<b>.25 Hour General Mediation Issues</b>

Keys and Theories - keystones of our practice – individual reflection and sharing Individual will reflect on and identify the key principles and theories that guide the strategic choices in their practice. The exercise is a grounding piece that is used throughout the day. Participants will examine how different choices they have made in the past or will make in the future are related to the keystone beliefs, principles, or theories that they hold.	<b>General Continuing Education, General Mediation Issues</b>	9:15 a.m.	9:45 a.m.	.50 Hour General Mediation Issues
What are the markers of reflective practice? - This is a presentation that outlines what we mean by reflective practice, what is necessary to engage in reflective practice, and what are some of the discipline practices related to reflective practice.	<b>General Continuing Education, General Mediation Issues</b>	9:45 a.m.	10:00 a.m.	.25 Hour General Mediation Issues
Reflective debrief - One of the markers of reflective practice is the ability to engage in reflective debrief. This will be a demonstration of how reflective debrief works and what the debriefer does and does not do to assist the mediator to engage in a deeper level examination of choices that they have made and why. The goal of this is not to have the mediator act in a particular way but to understand for themselves why they made the choice they did and to assess whether or not that is a choice that might inform how they practice in the future.	<b>General Continuing Education, General Mediation Issues</b>	10:00 a.m.	10:30 a.m.	.50 Hour General Mediation Issues
Break	<b>Break</b>	10:30 a.m.	10:45 a.m.	
Discussion about reflective debrief - During this time, there is an additional short presentation using a chart called “Comparison of the Pole of the Reflective Debrief and that of the Mediator”. Participants get to ask questions and explore how this might change or enhance their practice.	<b>General Continuing Education, General Mediation Issues</b>	10:45 a.m.	11:15 a.m.	.50 Hour General Mediation Issues

Reflecting on private sessions - Presentation on highlighting the polarized discussion that takes place regarding private sessions – whether to do them or not. This section is an introduction to examining the question in a different way: “under what circumstances might separate sessions be useful and under what circumstances might they be problematic”. In this section we will ask people to examine why they believe what they do about private sessions and ask them to go back to their keystone beliefs and see if the two line up with one another.	<b>General Continuing Education, General Mediation Issues</b>	<b>11:15 a.m.</b>	<b>11:30 a.m.</b>	<b>.25 Hour General Mediation Issues</b>
Demonstration and discussion - In this section we will look at a demonstration and examine our working hypothesis what might be going on and explore some of the questions we might be asking ourselves regarding private sessions.	<b>General Continuing Education, General Mediation Issues</b>	<b>11:30 a.m.</b>	<b>12:00 p.m.</b>	<b>.50 Hour General Mediation Issues</b>
Lunch Break	<b>Break</b>	<b>12:00 p.m.</b>	<b>12:30 p.m.</b>	
Examination of strategic choices regarding private sessions - This is a presentation and discussion of the complex matrix that might inform our choices regarding private sessions. We will begin to look at what is the context, type of mediation, examination of parties in the room, dynamics between the parties, and behaviors and tone of the parties. In looking at these, then we look at whether or not we are informed to hold a private session or not. If our choice is to make a private session, we will identify what is the goal of it and how is that goal consistent with our keystone principles. We also look at what the risks and possible benefits are to a private session at this point.	<b>General Continuing Education, General Mediation Issues</b>	<b>12:30 p.m.</b>	<b>1:15 p.m.</b>	<b>.75 Hour General Mediation Issues</b>

Case studies - Through a series of written case studies participants will examine a number of scenarios and assess options that have potentially to do with private sessions. If their choice is to have a private session, they identify what will be the goal, that goal is consistent with their practice keystones, and how they would proceed with the private sessions.	<b>General Continuing Education, General Mediation Issues</b>	<b>1:15 p.m.</b>	<b>2:15 p.m.</b>	<b>1.0 Hour General Mediation Issues</b>
Break	<b>Break</b>	<b>2:15 p.m.</b>	<b>2:30 p.m.</b>	
Ethical issues regarding private sessions - This section continues case studies but now introduces some ethical challenges that might influence how the mediators handle those sessions. The cases will relate to information that the mediator might have regarding settlement, questions of honesty and dishonesty in the mediation process, questions regarding potential risk to the parties, and other ethical issues raised by workshop participants. These will be both written and demonstration scenarios.	<b>Mediation Ethics</b>	<b>2:30 p.m.</b>	<b>3:30 p.m.</b>	<b>1.0 Hour Mediation Ethics</b>
Wrap up and final reflection - Final wrap-up discussion and return to practice keystones to see if participants have anything that they wish to add or modify.	<b>General Continuing Education, General Mediation Issues</b>	<b>3:30 p.m.</b>	<b>4:00 p.m.</b>	<b>.50 Hour General Mediation Issues</b>

**OFFICE USE ONLY**

**Total Approved CME: 6.0 Hours**  
**Date Approved: September 1, 2016**